

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

---

SCOTT TURNAGE, DEONTAE TATE, JEREMY S.  
MELTON, ISSACCA POWELL, KEITH BURGESS,  
TRAVIS BOYD, TERRENCE DRAIN and  
KIMBERLY ALLEN on behalf of themselves and all  
similarly situated persons,

Plaintiffs,

v.

BILL OLDHAM, in his individual capacity as former  
Sheriff of Shelby County, Tennessee; FLOYD BONNER,  
JR., in his official capacity as Sheriff of Shelby County,  
Tennessee; ROBERT MOORE, in his individual capacity  
as former Jail Director of Shelby County, Tennessee;  
KIRK FIELDS, in his official capacity as the Jail Director  
of Shelby County, Tennessee; CHARLENE MCGHEE, in  
her individual capacity as former Assistant Chief of Jail  
Security of Shelby County, Tennessee; REGINALD  
HUBBARD, in his official capacity as Assistant Chief of  
Jail Security of Shelby County, Tennessee; DEBRA  
HAMMONS, in her individual capacity as former Assistant  
Chief of Jail Programs; TIFFANY WARD in her official  
capacity as the Assistant Chief of Jail Programs of Shelby  
County, Tennessee; SHELBY COUNTY, TENNESSEE,  
a Tennessee municipality; TYLER TECHNOLOGIES,  
INC., a foreign corporation; GLOBAL TEL\*LINK  
CORPORATION, a foreign corporation; SOFTWARE  
AG USA, INC., a foreign corporation; SIERRA-CEDAR,  
INC., a foreign corporation; SIERRA SYSTEMS GROUP,  
INC., a foreign corporation, and TETRUS CORP, a foreign  
Corporation,

Defendants.

Civil Action No. 2:16-cv-02907-  
SHM-tmp

Jury Demanded

---

**AGREED SUPPLEMENT TO JOINT MOTION FOR PRELIMINARY APPROVAL**

---

On July 9, 2021, a hearing was held before the Court on the Parties' Joint Motion for Preliminary Approval of Class Settlement, Conditional Certification of the Settlement Class, Approval of the Proposed Notice of Settlement, and Class Action Settlement Procedures (ECF No. 369) ("Joint Motion for Preliminary Approval"). In accordance with the Court's instructions and by agreement of all Parties, the undersigned counsel hereby supplement the Joint Motion for Preliminary Approval and amend the Parties' Stipulation and Class Action Settlement Agreement and Release dated April 2, 2021 (ECF No.369-2) (the "Agreement") as follows:

1. The Settlement Class, as defined in Section 2.28 of the Agreement, shall only include those individuals who were arrested and detained at the Shelby County Jail between November 1, 2016 and March 21, 2021.
2. Notwithstanding the Parties' acknowledgement in Section 5.2 of the Agreement that direct mail notice to all potential Class Members is not practicable under the circumstances and that publication notice is reasonably calculated to apprise interested parties of the Settlement, the Administrator shall provide Class Notice by US Mail to the addresses of approximately 19,946 potential Class Members who were booked at the Shelby County Jail between November 1, 2016, and June 30, 2017 ("Mail Notice"). The parties agree that the potential Class Members who were booked during this time period include the vast majority, if not all, of the individuals who are likely to qualify as members of the Class. Mail Notice shall be made by postcard in a form substantially similar to Exhibit F, attached hereto. To alleviate any potential expungement-related privacy concerns, such Mail Notice will omit the detainee's name and be addressed only to "Current Occupant" or similarly anonymous designation. The address of each of these potential Class Members shall be determined by reference to an Excel spreadsheet report generated from data stored for each detainee in Shelby County's Odyssey system. The parties

acknowledge that this information was originally provided by the detainees themselves at the time of booking and may contain incomplete, incorrect and/or unverifiable information. If there is no complete address for a potential Class Member or the listed address contains deficiencies, then Mail Notice shall not be required, and neither the Administrator nor any Party shall have any obligation or duty to conduct further inquiry to identify a sufficient address for a potential Class Member. Instead, such individuals will receive notice by publication. In the event that any potential Class Members share an identical address, only one postcard shall be mailed to such address. In the event a postcard is returned to the Administrator as undeliverable, neither the Administrator nor any Party shall have any obligation or duty to conduct further inquiry to identify a sufficient address for any potential Class Member or attempt subsequent mailings.

3. In addition to the other forms of publication notice outlined in the Agreement and the Joint Motion for Preliminary Approval, publication of the Class Notice, as provided in Section 5.2 of the Agreement, shall be made in the Memphis Daily News and shall also be published by posting at the Shelby County Criminal Justice Center located at 201 Poplar Avenue, Memphis, Tennessee 38103. Shelby County will post two notices at 201 Poplar: one at the public entrance to the Shelby County Jail, and one on the wall next to the elevators on the main floor. The notices will be posted for 30 days following the Court's entry of an order approving the Joint Motion for Preliminary Approval. Shelby County will conduct weekly inspections during this time to ensure that the notices have not been removed and, if necessary, repost the notices. The parties acknowledge and agree that these measures are specifically tailored to provide Class Notice to both potential Class Members and local criminal defense attorneys, who in turn can be reasonably expected to pass such information along to current and former clients who may qualify for the Settlement Class.

4. The parties agree and acknowledge through their undersigned counsel that the modifications and additions outlined in paragraphs 1-3 above are to be considered binding and enforceable amendments to the Agreement.

5. In addition to the specific amendments above, Plaintiffs' counsel acknowledges the guidance provided by the Court at the July 9, 2021 hearing regarding Plaintiffs' fee application. In accordance with the Court's guidance, Plaintiffs will submit a fee application no later than 25 days before the Final Fairness Hearing that substantiates the fees and expenses requested by providing detailed information regarding the specific individuals who worked on this matter, their billable rates, the number of hours spent, and a general description of work done by individual. In addition, Plaintiffs will detail by category the expenses incurred in the prosecution of this matter.

Dated: July 23, 2021

Respectfully submitted,

s/ Holly Renken

Michael G. McLaren (#5100)  
William E. Cochran, Jr. (#21428)  
Holly Renken (#21540)  
BLACK McLAREN JONES RYLAND & GRIFFEE PC  
530 Oak Court Drive, Suite 360  
Memphis, TN 38117  
(901) 762-0535 (Office)  
(901) 762-0539 (Fax)  
Email: mmclaren@blackmclaw.com  
Email: wcochran@blackmclaw.com

s/ Frank L. Watson, III

Frank L. Watson, III (Tenn. Bar No. 15073)  
William F. Burns (Tenn. Bar No. 17908)  
  
William E. Routt (Tenn. Bar No. 28577)  
WATSON BURNS, PLLC  
253 Adams Avenue  
Memphis, Tennessee 38104  
Phone: (901) 529-7996  
Fax: (901) 529-7998  
Email: fwatson@watsonburns.com  
Email: bburns@watsonburns.com  
Email: wroutt@watsonburns.com

s/ Brice M. Timmons

Brice M. Timmons (#29582)  
DONATI LAW, PLLC  
1545 Union Ave.  
Memphis, TN 38104  
(901) 209-5500  
(901) 278-3111  
Email: btimmons@donatilaw.com

*Counsel for the named Plaintiffs and Court Appointed Rule 23(g)(3) Interim Class Counsel for the putative Class Members*

s/ Meghan M. Cox

Robert E. Craddock, Esq.  
Odell Horton, Jr., Esq.  
Meghan M. Cox, Esq.  
WYATT, TARRANT & COMBS, LLP  
6070 Poplar Ave., Suite 300  
Memphis, Tennessee 38119  
(901) 537-1000  
Email: rcraddock@wyattfirm.com  
Email: ohorton@wyattfirm.com  
Email: mcox@wyattfirm.com

*Counsel for Defendants Bill Oldham, Floyd Bonner, Jr., Robert Moore, Kirk Fields, Charlene McGhee, Reginald Hubbard, Debra Hammons, Tiffany Ward, and Shelby County, Tennessee*

s/ Bradley E. Trammell

Bradley E. Trammell, Esq.  
BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.  
165 Madison Avenue, Suite 2000  
Memphis, Tennessee 38103  
(901) 577-2121  
Email: btrammell@bakerdonelson.com

*Counsel for Defendant Tyler Technologies, Inc.*

s/ Douglas F. Halijan

Douglas F. Halijan, Esq.  
William David Irvine, Esq.  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103-2217  
(901) 524-5000  
Email: dhalijan@bpjlaw.com  
Email: wirvine@bpjlaw.com

*Counsel for Defendant Software AG Cloud Americas, Inc.*

s/ Emmett Lee Whitwell

Emmett Lee Whitwell, Esq.  
SHELBY COUNTY ATTORNEY'S OFFICE  
160 N. Main Street  
Suite 950  
Memphis, TN 38103  
(901) 222-2100  
Email: lee.whitwell@shelbycountyttn.gov

*Counsel for Defendants Bill Oldham, Floyd Bonner, Jr., Robert Moore, Kirk Fields, Charlene McGhee, Reginald Hubbard, Debra Hammons, Tiffany Ward, and Shelby County, Tennessee*

s/ Beth Bivans Petronio

Beth Bivans Petronio, Esq.  
K&L GATES, LLP  
1717 Main Street  
Suite 2800  
Dallas, Texas 75201  
(214) 939-5815  
Email: beth.petronio@klgates.com

*Counsel for Defendant Tyler Technologies, Inc.*

s/ R. Brandon Bundren

R. Brandon Bundren, Esq.  
James L. Murphy, Esq.  
BRADLEY ARANT BOULT CUMMINGS LLP  
1600 Division Street, Suite 700  
Nashville, TN 37203  
(615) 252-4647  
Email: bbundren@bradley.com  
Email: jmurphy@bradley.com

*Counsel for Defendant Global TelLink Corporation*

s/ Albert G. McLean

Albert G. McLean, Esq.  
Kevin David Bernstein, Esq.  
SPICER RUDSTROM PLLC  
119 S. Main Street, Suite 700  
Memphis, TN 38103  
901-522-2324  
Email: amclean@spicerfirm.com  
Email: kdb@spicerfirm.com

*Counsel for Defendant Sierra-Cedar, Inc.*

s/ Robert A. McLean

Robert A. McLean  
FARRIS BOBANGO BRANAN PLC  
999 S. Shady Grove Road, Suite 500  
Memphis, TN 38120  
(901) 259-7100  
rmclean@farris-law.com

*Counsel for Defendant Tetras Corp.*

s/ Heather Gwinn-Pabon

Heather Gwinn-Pabon  
Erin McDaniel  
GORDON REES SCULLY MANSUKHANI  
3401 Mallory Lane, Suite 120  
Franklin, TN 37067  
hgwinn@grsm.com

*Counsel for Defendant Sierra Systems Group,  
Inc.*